

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. CR 09-1753 JB

BRITTNEY VASQUEZ,

Defendant.

**MEMORANDUM OPINION AND ORDER**

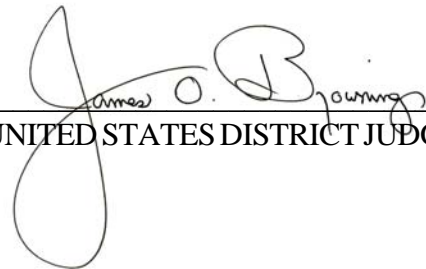
**THIS MATTER** comes before the Court on the Appeal of Detention Order, filed March 29, 2012 (Doc. 66)(“Appeal”). The Court held a hearing on April 13, 2012. The Court will deny the Appeal as moot, because the Court sentenced Defendant Brittney Vasquez for her violation of supervised release at the April 13, 2012 revocation hearing. Vasquez admitted a violation of her supervised release on December 2, 2011, and the Court revoked her supervised release. See Appeal ¶ 2, at 1. The Court did not, however, immediately sentence her, because she asked the Court for time to come up with some alternative to incarceration. See Appeal ¶ 2, at 1. Vasquez now requests that she be released to her grandmother’s custody in Santa Fe, New Mexico, pending placement in a residential treatment program for her heroin and marijuana use. See Appeal ¶ 8, at 3. At the hearing, the Court asked whether it would be appropriate to sentence Vasquez for the violation rather than to address the Appeal. See Transcript of Hearing at 2:10-18 (April 13, 2012)(Court)(“Tr.”).<sup>1</sup> Vasquez asserted that it was appropriate for the Court to sentence her and that she was prepared for the Court to sentence her regardless whether the Court would consider her

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<sup>1</sup>The Court’s citations to the transcript of the hearing refer to the court reporter’s original, unedited version. Any final transcript may contain slightly different page and/or line numbers.

release. See Tr. at 2:19-25 (Keefe). After the Court sentenced Vasquez on the supervised-release violation, to 9-months imprisonment, Plaintiff United States of America asked whether the sentencing resolved the Appeal. See Tr. at 18:21-24 (Meyers). The Court stated that, in its view, the sentencing resolved those issues, and Vasquez agreed that the sentencing resolved the Appeal. See Tr. at 19:6-11 (Keefe). Because the parties agree that the Court's imposition of a sentence resolved any issues contained in the Appeal, the Court will deny the Appeal as moot.

**IT IS ORDERED** that the Appeal of Detention Order, filed March 29, 2012 (Doc. 66), is denied as moot.



UNITED STATES DISTRICT JUDGE

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